# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

SYMANTEC CORPORATION,	)
Plaintiff,	)
v.	) C.A. No. 16-1176 (SLR)
ZSCALER, INC.,	)
Defendant.	)

#### **NOTICE OF SUBSEQUENT AUTHORITY**

Pursuant to D. Del. LR 7.1.2(b), Plaintiff Symantec Corporation submits Judge Orrick's opinion in *Finjan, Inc. v. Sophos, Inc.*, No. 14-1197 (N.D. Cal. Mar. 14, 2017) (Ex. A) as supplemental authority in support of its opposition to Defendant Zscaler, Inc.'s Motion to Dismiss for Failure to State a Claim Pursuant to 35 U.S.C. § 101 (D.I. 18). This opinion is particularly relevant to the arguments Symantec made in its opposition regarding the inventive concepts present in the claims of the '959 Patent, the '227 Patent, and the '116 Patent. *See* Ex. A at pp. 44–62.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

## /s/Jeremy A. Tigan

Jack B. Blumenfeld (#1014) Jeremy A. Tigan (#5239) 1201 North Market Street P.O. Box 1347 Wilmington, DE 19899-1347 (302) 658-9200 jblumenfeld@mnat.com jtigan@mnat.com

Attorneys for Plaintiff Symantec Corporation

### OF COUNSEL:

Kurt Pankratz Chad Walters Christa Brown-Sanford Katie Juffa Harrison Rich Clarke Stavinoha BAKER BOTTS LLP 2001 Ross Avenue Dallas, TX 75201

Jennifer C. Tempesta BAKER BOTTS LLP 30 Rockefeller Plaza New York, NY 10112 (212) 408-2571

March 17, 2017 10896466

### **CERTIFICATE OF SERVICE**

I hereby certify that on March 17, 2017, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on March 17, 2017, upon the following in the manner indicated:

John W. Shaw, Esquire Karen E. Keller, Esquire David M. Fry, Esquire SHAW KELLER LLP 300 Delaware Avenue, Suite 1120 Wilmington, DE 19801 Attorneys for Defendant Zscaler, Inc.

VIA ELECTRONIC MAIL

VIA ELECTRONIC MAIL

Robert A. Van Nest, Esquire Leo L. Lam, Esquire Matthew M. Werdegar, Esquire Justina Sessions, Esquire Corey A. Johanningmeier, Esquire Grace Yang, Esquire KEKER, VAN NEST & PETERS LLP 633 Battery Street San Francisco, CA 94111 Attorneys for Defendant Zscaler, Inc.

<u>/s/Jeremy A. Tigan</u>

Jeremy A. Tigan (#5239)